

AMENDED IN ASSEMBLY APRIL 25, 2013

AMENDED IN ASSEMBLY APRIL 3, 2013

AMENDED IN ASSEMBLY FEBRUARY 5, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 34

Introduced by Assembly Member Roger Hernández
(Coauthors: Assembly Members *Alejo, Ammiano, Perea,*
***V. Manuel Pérez, Salas, and Ting*)**

December 3, 2012

An act to amend Section 5024.6 of, and to add Section 5029.6 to, the Public Resources Code, relating to historical resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 34, as amended, Roger Hernández. State historical resources.

Existing law establishes the State Historical Resources Commission and the California Register of Historical Resources. Existing law requires the Department of Parks and Recreation to consider all recommendations for registration made by the commission, and requires the department to register, as state historical landmarks, those buildings, structures, sites, or places that the department deems to be important historical resources.

Existing law authorizes a resource to be nominated for listing as a historical resource in the California Register of Historic Resources in accordance with specified nominating procedures. Existing law establishes the State Office of Historic Preservation and requires the office to perform certain duties, including recommending properties of historical significance for nomination by the commission for, among other things, listing in the California Register of Historic Resources.

This bill would require the office to educate the public on the process required to nominate a resource for listing in the California Register of Historic Resources, as provided. The bill would also require the office, by January 1, 2015, to identify at least 5 resources for potential inclusion in the California Register of Historic Resources that are associated with the labor and civil rights movements or California's modern history, *as defined*, and recommend to the commission that these resources be nominated for inclusion in the California Register of Historic Resources.

This bill would require the land known as Nuestra Señora Reina de La Paz, which includes the home and burial site of the late Cesar Chavez, to be registered as a state historical landmark.

This bill would make legislative findings and declarations as to the necessity of a special statute.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The state park system was created for the purposes of
- 4 preserving outstanding natural and scenic sites of cultural value
- 5 and areas of historical significance.
- 6 (b) Nuestra Señora Reina de La Paz, or La Paz, the farm where
- 7 the late Cesar Chavez lived, was recently named by President
- 8 Obama as a national monument. This designation brings to the
- 9 forefront the deep national significance of the land.
- 10 (c) La Paz, located in Kern County, is a historic and culturally
- 11 significant land that contains both the house in which the late Cesar
- 12 Chavez once lived and his burial site.
- 13 (d) Kern County is home to the origins of the farmworker
- 14 movement and contains several sites associated with the movement,
- 15 including La Paz and the land known as the Forty Acres.
- 16 (e) Currently, the Office of Historic Preservation does not have
- 17 these two sites, or any other site located in Kern County associated
- 18 with the farmworker movement, listed as a state historical
- 19 landmark.
- 20 (f) Further, there is a general deficit of sites and resources listed
- 21 in the California's Register of Historical Resources that are
- 22 associated with California modern day history and civil rights.

1 SEC. 2. Section 5024.6 of the Public Resources Code is
2 amended to read:

3 5024.6. There is in the department the State Office of Historic
4 Preservation, which is under the direction of the officer. The office
5 shall do all of the following:

6 (a) Serve as the staff of the commission in carrying out its
7 responsibilities, and as the staff of the officer in carrying out the
8 responsibilities of that position.

9 (b) Recommend properties of historical significance for
10 nomination by the commission for the National Register of Historic
11 Places, for registration as historical landmarks and points of
12 historical interest, and for listing in the California Register.

13 (c) Administer state and federal incentive programs for the
14 preservation of historical resources, including the California
15 Register.

16 (d) Provide information on federal and state benefits for
17 preservation projects and enhancement of historical resources.

18 (e) Administer grant and loan programs to survey historical
19 resources and assist the development and enhancement of these
20 resources.

21 (f) Assist other state agencies by providing information and
22 education on the economic and social benefits of utilizing historical
23 resources.

24 (g) Provide public education and information on the preservation
25 and enhancement of historical resources.

26 (h) Provide information and technical assistance to local, state,
27 and national organizations to promote preservation and
28 enhancement of historical resources by developing model
29 ordinances, financial mechanisms, educational programs,
30 conferences, workshops, and other materials.

31 (i) Cooperate with cultural and ethnic commissions, such as the
32 Native American Heritage Commission, or other organizations or
33 representatives when projects involve these groups' concerns.

34 (j) Review and comment on the impact on historical resources
35 of publicly funded projects and programs undertaken by other
36 governmental agencies.

37 (k) Review applications for excavation and salvage permits for
38 salvage in state waters.

39 (l) Assist the State Lands Commission in administering Section
40 6313.

1 (m) Administer the California Register in accordance with
2 procedures adopted by the commission.

3 (n) Administer and maintain the State Historic Resources
4 Inventory in accordance with procedures developed by the office
5 and adopted by the commission.

6 (o) Administer the California Heritage Fund created pursuant
7 to Section 5079.10.

8 (p) Educate the public on the process required to nominate a
9 resource for listing as a historical resource in the California
10 Register pursuant to subdivision (f) of Section 5024.1, with
11 particular emphasis on educating the public regarding nominating
12 resources associated with the labor movement, the civil rights
13 movement, and the state's modern history.

14 (q) By January 1, 2015, identify at least five resources for
15 potential inclusion in the California Register that are associated
16 with the labor movement, the civil rights movement, or the state's
17 modern history, and recommend to the commission that these
18 resources be nominated for inclusion as a historical resource in
19 the California Register.

20 (r) *For the purposes of this section, "modern history" means*
21 *history on and after 1940.*

22 SEC. 3. Section 5029.6 is added to the Public Resources Code,
23 to read:

24 5029.6. Notwithstanding Section 5021, the land known as
25 Nuestra Señora Reina de La Paz, which includes the home and
26 burial site of the late Cesar Chavez, shall be registered as a state
27 historical landmark.

28 SEC. 4. The Legislature finds and declares that a special law
29 is necessary and that a general law cannot be made applicable
30 within the meaning of Section 16 of Article IV of the California
31 Constitution because of the necessity to ensure in perpetuity the
32 unique historical, cultural, and recreational significance of Nuestra
33 Señora Reina de La Paz in Kern County.